

August 20, 2024

Council of the City of Wheeling met, on the above date, at 5:30pm, at 1500 Chapline Street Wheeling, WV with Mayor Magruder presiding.

On roll call, the following were present:

Present: Assaro, Cain, Palmer, Seidler, Magruder, Sklavounakis, Thorngate -7
Absent: -0

Mr. Thorngate moved, seconded by Mr. Sklavounakis that the minutes of August 5, 2024 meeting be accepted as received. All in favor. Motion Carried.

MAYOR'S REPORT

Mayor Magruder congratulated many on successful local events including, Bluesfest, Lebanese Festival, Mountaineer Brew Fest and OVAC Hall of Fame Banquet. Mayor Magruder congratulated Journalist Eric Ayres on his awards from the West Virginia Press Association. Mayor Magruder nominated Melinda Koslick to fill an unexpired term on the Centre Market Commission to end June 30,2025. Mr. Palmer, seconded by Mr. Seidler moved to accept the nomination. All in favor. Motion carried. Mayor Magruder nominated Elisha Gross and Elisha Hickman be reappointed to the Human Rights Commission for three-year terms ending June 30,2027. Mr. Thorngate, seconded by Mr. Assaro moved to accept the nomination. All in favor. Motion Carried. Mayor Magruder nominated John Culler to serve on the Greater Wheeling Sports and Entertainment Authority Board for a four-year term to expire June 30,2028. Mr. Palmer, seconded by Ms. Cain moved to accept the nomination. All in favor. Motion Carried.

UNFINISHED BUSINESS

Centrisys-Rental Services Centrifuge Flood Damage- WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$27,000 WITH CENTRISYS OF KENOSHA, WI FOR PURCHASE OF RENTAL SERVICES FOR CENTRIFUGE TO BE CHARGED TO WATER POLLUTION CONTROL 401.4004.06.0742.01

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7
NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Xylem-Main Sewage Pump #3- WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$213,187 TO XYLEM DEWATERING SOLUTIONS OF CHICAGO, IL FOR MAIN SEWAGE PUMP #3 REPLACEMENT DUE TO FLOOD DAMAGE TO BE CHARGED WATER POLLUTION CONTROL DIVISION

The ordinance was read a second time by title. Mr. Seidler, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows

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AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Xylem-Main Sewage Pump #4-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$84,813 TO XYLEM DEWATERING SOLUTIONS OF CHICAGO, IL FOR MAIN SEWAGE PUMP #4 REPLACEMENT DUE TO FLOOD DAMAGE TO BE CHARGED WATER POLLUTION CONTROL DIVISION

The ordinance was read a second time by title. Ms. Cain, seconded by Mr. Assaro, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Filmtec- Filter Modules 3 and 4- Water Treatment- Membrane Replacement CD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$557,000.00 WITH FILMTEC CORPORATION, OF EDINA, MN FOR FILTER MODULES 3 and 4 FOR WATER TREATMENT PLANT TO BE CHARGED TO MEMBRANE REPLACEMENT CD 400.1128.08.00

The ordinance was read a second time by title. Mr. Thorngate seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Property Lien- 20 Zane Street

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING FIXING THE ASSESSMENT FOR THE FINES & COSTS FOR FAILURE TO TAKE SPECIFIC ACTIONS AS REQUIRED BY THE OHIO COUNTY CIRCUIT COURT TO REMOVE ANY AND ALL DEBRIS, VEHICLES, ETC. ON REAL PROPERTY IN THE CITY OWNED BY MARK DOWNIE AND FURTHER PERMITTING THE CITY TO REMOVE HEALTH HAZARDS, ABATE THE NUISANCE AT THE PROPERTY AND DISPOSE OF SUCH VEHICLES, METAL DEBRIS, ETC. REMAINING ON THE PROPERTY & THEREAFTER PLACE A LIEN FOR SUCH RELATED REMOVAL COSTS IN ACCORDANCE WITH THE COURT ORDER

The ordinance was read a second time by title. Mr. Palmer, seconded by Mr. Seidler, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

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NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

ERB Electric- Flood Repair Services- WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$42,561.90 WITH ERB ELECTRIC COMPANY OF WHEELING, WV, FOR FLOOD REPAIR MATERIAL AND SERVICES TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

The ordinance was read a second time by title. Ms. Cain, seconded by Mr. Assaro, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Cambria Systems Inc.- Replacement PLC Controller-WPCD

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$47,750 WITH CAMBRIA SYSTEMS INC OF SIDMAN, PA FOR PURCHASE OF REPLACEMENT PLC CONTROLLER FOR MAIN SEWAGE PUMPS DUE TO FLOOD DAMAGE TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

The ordinance was read a second time by title. Mr. Thorngate, seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Shults Ford- Water Distribution Truck- Vehicle Replacement Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$47,365.50 WITH SHULTS FORD OF TRIADELPHIA WV FOR A 2024 FORD F150 REGULAR CAB HALF TON PICKUP TRUCK TO BE CHARGED TO WATER DISTRIBUTION VEHICLE REPLACEMENT FUND

The ordinance was read a second time by title. Mr. Palmer, seconded by Mr. Seidler, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

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Edgco- Emergency Demolition and Abatement- 412 S Broadway- ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$31,156 WITH EDGCO, INC., OF LANSING, OH FOR EMERGENCY DEMOLITION AND ABATEMENT OF 412 S BROADWAY STREET TO BE CHARGED TO ARPA

The ordinance was read a second time by title. Ms. Cain, seconded by Mr. Assaro, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Edgco 4414 Wood Street Demolition- ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$69,800 WITH EDGCO, INC., OF LANSING, OH FOR DEMOLITION OF 4414 WOOD STREET TO BE CHARGED TO ARPA

The ordinance was read a second time by title. Mr. Thorngate seconded by Mr. Sklavounakis, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Thorngate updated that the Splash Pad located downtown at Wesbanco Arena is open for the public to use, and is a wonderful addition to the Waterfront, Heritage Port Area.

Ms. Cain noted that a Centre Market business has closed.

Mr. Seidler remarked on homeless individuals, citing the majority of the problem is addiction and mental health.

Mr. Seidler shared a short video presentation from Douglas County, Colorado and their approach called the HEART program, standing for Homeless Engagement Assistance Resource Team and hopes a similar approach can be taken within the city.

Mr. Assaro thanked City crews for their response and attention to a water break on Richland Avenue on August 7th. Mr. Assaro reminded schools are back in session and to be alert of school buses.

Mr. Palmer thanked the Wheeling Police Department and School Resource Officer Tyler Wilson for their quick action during a lockdown at Wheeling Park High School on Friday August 16th.

REPORT OF COMMITTEES

REPORT OF CITY MANAGER

Mr. Herron respectfully asked for two reads on Original Proposition #5 and #7 as these payments need expedited. Mr. Herron recognized and congratulated two employees on their retirements, Assistant Fire Chief Paul Harto on his 38 years of service and Water Distribution Manager Chris Beiswenger on his 35 years of service. Mr. Herron then introduced Jim Ambrose from Tipping Point to present information on the Clay School findings. Mr. Ambrose concluded that their recommendation would be to demolish the current structure and build a new community center facility.

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REPORT OF OTHER OFFICERS

Mr. Palmer, seconded by Mr. Seidler moved to Hold Over the Planning Commission Reports from June 10 and July 8th 2024 and the Hall of Fame Minutes from July 9, 2024. All in favor. Motion Carried.

ORIGINAL PROPOSITIONS

Traffic Rule- Handicap Parking Meter- 26 15th Street

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ESTABLISH A TWO-HOUR HANDICAP PARKING METER AT 26 15th STREET

Traffic Rule- Loading Zone- 1060 Chapline Street Rear Entrance

The following was then read by title:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING TO ESTABLISH A LOADING ZONE BEHIND 1060 CHAPLINE STREET

Savage Construction- Gaewood Storm Sewer Improvements- ARPA

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$704,000 WITH SAVAGE CONSTRUCTION CO. INC., OF WHEELING, WV, FOR GAEWOOD STORM SEWER IMPROVEMENTS TO BE CHARGED TO ARPA

GM Baker & Son- Well 5 Casing- Water

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$37,041 TO GM BAKER & SON, OF COLUMBUS, OH FOR WELL 5 CASING REPAIR TO BE CHARGED TO WATER

USI Insurance Services LLC- Worker's Compensation Fund

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$176,664.34 WITH USI INSURANCE SERVICES, LLC, OF VIRGINIA BEACH, VA, FOR EXCESS LIABILITY WORKERS' COMPENSATION POLICY TO BE CHARGED TO WORKERS' COMPENSATION FUND

Ms. Cain, seconded by Mr. Assaro motioned for two reads of the ordinance to expediate work. All in favor. Motion Carried.

The ordinance was read a second time by title. Ms. Cain, seconded by Mr. Assaro, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

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Xylem- Pump Supplies- Water Pollution Control Division

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$17,112 TO XYLEM DEWATERING SOLUTIONS OF CHICAGO, IL FOR PUMP SUPPLIES DUE TO FLOOD DAMAGE TO BE CHARGED WATER POLLUTION CONTROL DIVISION

Hunter Truck Sales- Peterbilt Recycling Truck- Recycling Assistance Grant

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$209,323 WITH HUNTER TRUCK SALES & SERVICE INC., OF SMITHFIELD, PA FOR A 2025 PETERBILT MODEL 536 RECYCLING TRUCK TO BE CHARGED TO 2024 RECYCLING ASSISTANCE GRANT #1031

Mr. Sklavounakis, seconded by Mr. Thorngate motioned for two reads of the ordinance to expediate work. All in favor. Motion Carried.

The ordinance was read a second time by title. Mr. Sklavounakis, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows

AYES: Cain, Assaro, Seidler, Palmer, Magruder, Sklavounakis, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

TS ELLIOTT LLC Flood Services- Water Pollution Control Division

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$25,998 WITH TS ELLIOTT LLC CONTRACTING OF WELLSBURG, WV FOR MATERAILS AND SERVICES DUE TO FLOODING TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

TS ELLIOTT LLC Sewage Pump Demo and Installation- Water Pollution Control Division

The following was then read by title:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$35,315 WITH TS ELLIOTT LLC CONTRACTING OF WELLSBURG, WV FOR DEMOLITION AND INSTALLATION OF MAIN SEWAGE PUMP #4 DUE TO FLOODING TO BE CHARGED TO WATER POLLUTION CONTROL DIVISION

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Resolution-Budget Revision FY 24-25 Coal Severance Fund

The following was then read by title:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING AUTHORIZING THE OHIO VALLEY AREA DEVELOPMENT CORPORATION AND THE CITY MANAGER TO NEGOTIATE AND EXECUTE A JOINT USE AGREEMENT WITH TONI DICARLO FOR PARCELS OF LAND LOCATED ADJACENT TO AND NEAR THE SITE OF THE NEW DICARLO'S PIZZA LOCATION ON MAIN STREET IN THE CITY OF WHEELING

The resolution was read by title. Mr. Thorngate seconded by Mr. Palmer, moved that the resolution be adopted.

The vote on the motion resulted as follows

AYES: Cain, Sklavounakis, Seidler, Assaro, Palmer, Magruder, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the resolution adopted.

Mr. Sklavounakis, seconded by Mr. Thorngate moved to consolidate Original Propositions #'s 11-22, Façade Grants. All in favor. Motion Carried.

Resolution Façade Grants

The following was then read by title:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, WEST VIRGINIA, TO AUTHORIZE, DIRECT AND EMPOWER THE OFFICERS AND ADMINISTRATORS OF THE CITY TO EXECUTE ALL NECESSARY DOCUMENTS AND PROCEDURES TO PROVIDE FOR A DOWNTOWN FAÇADE IMPROVEMENT GRANT FOR THE FOLLOWING:

- Oglebay Institute 2118 Market Street \$ 15,000
- Diane & Greg Myers 2251 Market Street \$7,722.23
- Brew Keepers 2245 Market Street \$7,684.25
- Wheeling Investment Group 1062 Market Street \$2,000
- Wheeling Investment Group 1068 Market Street \$1,260.16
- Jason Bradcovich 326 N. Huron Street \$10,774.96
- Dean Connors 27 11th Street \$1,713.42
- Dean Connors 1057 Market Street \$1,713.42
- John Craig 2301 Chapline Street \$7,500
- Toni DiCarlo 1125 Main Street \$15,000
- Diego & Jeana Gattesco 739 Main Street \$13,209.28
- Justin Weisenborn 39 15th Street \$15,000

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The resolutions were read by title. Mr. Sklavounakis seconded by Mr. Thorngate, moved that the resolutions be adopted.

The vote on the motion resulted as follows

AYES: Cain, Sklavounakis, Seidler, Assaro, Palmer, Magruder, Thorngate -7

NOES: -0

A majority of those elected to Council having voted in favor, the mayor thereupon declared the resolution adopted.

THOSE WISHING TO BE HEARD

Jeanne Finstein spoke on vacant and endangered historical properties.

Susan Hagan spoke on non-profits and the need for mental health and addiction services.

Carlee Dittmar spoke on Homelessness and Crime in Fulton.

Vincent DeGeorge spoke on the Human Rights Commission.

There being no further business to discuss Mr. Sklavounakis moved, seconded by Mr. Palmer to adjourn. Time 6:31 pm.

City Clerk

Mayor

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